

MEETING MINUTES

Topic: **Community Outreach Meeting for General Plan and Zoning Ordinance Updates for Local Serving Uses in Rural Districts**

Date: **Wednesday, February 25, 2015**

Location: **Gilroy Library Community Meeting Room**

Attendees: **Planning Department staff – Planners Colleen Tsuchimoto and Manira Sandhir, AICP; Acting Planning and Development Department Director Kirk Girard; District 1 Land Use Aide Roland Velasco; Community Members (Estimated 30)**

- Concern of traffic counting along metering lights along Hwy 101. This creates further traffic congestion to the rural neighborhoods of San Martin.
- Urban scale development is avoided by keeping the net reduction of traffic standard in the policies.
- Without the language “local community”, the policies are more generalized and subject to interpretation and vague.
- Striking out language of net reduction of traffic will result in significant additional traffic outside of the San Martin community.
- Public input is not being heard
- The statistics should not be an equation of the guidelines. This is overdevelopment of the rural neighborhoods of San Martin.
- What is viable commercially – how it is defined in County code?
- Non-profit organizations cannot compete with the local restrictive policies.
- Removing traffic standards is suspicious.
- The new local serving standards do not protect the interest of the farming community.
- Donald – San Jose built density was the origin of the net reduction standard back in 1980. In favor of keeping the same language in place. Environmental concerns are preserved. Compact development is supported, assess the rural character of projects, meeting the size and scale of projects.
- Karen Harley – the existing language takes the heart of San Martin community; avoiding traffic congestion cumulative impacts. Water, traffic, and roads are all impacted by all the new development. Septic tanks and wells cannot be supported by all the new development. Take into the consideration of the community.
- Businesses outside of the community does not fit into San Martin needs.
- Hindu temple meeting in San Martin – a travel analysis was presented that showed how it meets the existing local serving policies.
- It should be obvious what isn’t local serving (example – Gold’s gym serving 5,000 or more patrons) is beyond local serving.
- Suggest putting in language that is separate for religious institutional uses versus other types of land uses. Local serving is defined differently based on the type of businesses.

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- RLUIPA – provide further information. We don't understand what it means. Which paragraphs /sections of RLUIPA relate to the County General Plan and Zoning Ordinance policies that are being changed.
- These changes solely impact San Martin residents; not anywhere else.
- How have other states and cities approached the RLUIPA problem? And why aren't they changing their codes and policies?
- Doing a headcount is important for septic design.
- Stripping the language away reduction of traffic will lead to traffic congestion problems.
- Dhruv Khanna explained an unincorporated project in Milpitas – temple going through the same issues with the impacts of the local serving policies and agrees with County staff's approach to presenting local serving – based on on size, scale and intensity of use.
- If you don't live in San Martin, you don't understand the needs of San Martin residents and how local serving should be defined.
- The intent of the policies are not clearly defined.
- Roland Velasco was requested to speak – Question of residents of San Martin – Why does Board need to change the policies? Roland indicated that County Counsel identified the problem with not meeting federal law – RLUIPA, and to protect the County from being sued this needs to be addressed.
- Dhruv pointed out that size, intensity of use, location, and traffic should be evaluated to be compatible with the rural area.
- Kristy Abrahams pointed out that the SCJPAC will be meeting to discuss the General Plan/Zoning Ordinance changes.
- Roland discussed the upcoming tentative schedule for SCJPAC, SMPAC, PC and Board of Supervisors meetings. The intent of the changes is to find a balance between local interests and protect the County at large from a lawsuit for inconsistency with RLUIPA.
- Baptist church was denied by SMPAC, and required to develop a City property. The San Martin community defines local serving as those uses that San Martin needs and uses. If we don't like a uses, it shouldn't be approved at all.

Other issues brought up not related to the proposal

- Why is there massive grading along Monterey Hwy? Staff responded that the project was approved for an auction salvage yard – Copart – approved by the Planning Commission. There are conditions pertaining to grading and drainage to meet erosion control and all County policies.
- San Martin wells are contaminated and need fixing.
- Foothill widening – Expressway Highway widening project of Roads Dept. did not have opportunity for public input; and does not meet the local needs of San Martin.
- Code enforcement of approved projects is not meeting the local needs of San Martin residents.
- What happens after a code violation is reported?
- Why did it take so long to obtain a building permit for a reroof of a shed; requiring unnecessary roadway improvements from Roads Dept?
- Object to 1200 sq. ft. standard for restaurants

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- Not able to turn left into the San Martin post office; too much traffic congestion at the intersection with Roads installation of a stop sign.
- Contamination of PCBs due to cemetery
- Why are all the SMPAC meetings being cancelled? And why is SMPAC always the night before Planning Commission meeting. This does not give enough notice for the public to review San Martin projects that impact the community. There should be changes to noticing procedures to allow for more advance time for SMPAC to review the projects.
- Trust of San Martin community is low due to past mistakes of approved projects that should not belong in San Martin – e.g. Copart and Cordoba Center
- Traffic and water issues are not adequately addressed within the Use Permit approval process.
- Why are roads full of drainage problems and flooding? Why can't the County fix our County roads properly?

MEETING MINUTES

Topic: Community Outreach Meeting for General Plan and Zoning Ordinance Updates for Local Serving Uses in Rural Districts

Date: Thursday, February 26, 2015

Location: Hillview-Reid Library Community Meeting Room

Attendees: Planning Department staff – Planners Colleen Tsuchimoto, Kim Rook, and Manira Sandhir, AICP; Interim Planning Manager Rob Eastwood; (Estimated 20)

- The County interpretation of “local serving” has evolved and not been consistently applied over time.
- The County is interpreting “local serving” to mean number of people (building size/occupant load), but it isn’t defined that way.
- “Local Serving” should be clearly defined (it appears this is the primary issue).
- “Local Serving” is not in conformance with Ca League of Cities (interpretation hazy).
- Impacts to infrastructure (specifically, San Martin traffic/parking, hydrology, & septic) of the proposed changes should be considered/addressed.
- Purpose (who/why) of the proposed text change is not clear.
- They do not want the language to change; the proposed deleted language will take away everything they have to preserve rural area.
- “Local serving” means they do not have to leave San Martin to obtain a service.

San Martin specific comments included:

- If proposed use is not right size, San Martin infrastructure can’t support the growth.
- The County is not listening to the residents of San Martin and the residents do not have a consistent avenue to bring issues to the attention of the County (i.e. SMPAC: meetings cancelled; staffed by Co employees). Process requires resident to attend SMPAC meeting to place issue on future agenda; if meetings are cancelled due to lack of business, they do not have a way to place a new discussion item on future agenda.